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OCT 26 2007

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8230  
Keith A. Miesel  
Serial No.: 10/825,955  
Filed: April 15, 2004 Customer No.: 28863  
Examiner: Jeffrey Gerben Hoekstra  
Group Art Unit: 3736  
Docket No.: 1023-362US01  
Title: COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA  
A MEDICAL DEVICE

PETITION FOR EXTENSION OF TIME

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

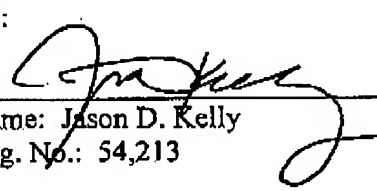
In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a one-month extension of time be granted in which to respond to the outstanding Office Action mailed June 27, 2007, said period of response being extended from September 27, 2007 to October 27, 2007.

Please charge Deposit Account No. 50-1778 the amount of \$120.00 to cover the required extension fee for a large entity.

Date:

By:

10-26-07  
SHUMAKER & SIEFFERT, P.A.  
1625 Radio Drive, Suite 300  
Woodbury, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

  
Name: Jason D. Kelly  
Reg. No.: 54,213

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